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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Administration of the) **CC Docket No. 92-237**
North American Numbering Plan) **Phases One and Two**

**COMMENTS OF THE
ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

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June 7, 1994

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SUMMARY

The Alliance for Telecommunications Industry Solutions ("ATIS") respectfully submits that it is willing to sponsor a committee which would develop and coordinate numbering policy, hereinafter, the Oversight Committee. ATIS would also be willing to oversee the selection of a neutral, third-party North American Numbering Plan ("NANP") administrator who would be guided per the consensus policies of the ATIS-sponsored Oversight Committee.

ATIS sponsors a number of industry committees and forums created to reach consensus resolutions on important and often contentious telecommunications issues. ATIS, as sponsor of these committees and forums, ensures that proper procedures are followed for the development of consensus, including strict adherence to the principles of openness and due process. In addition to ensuring that an ATIS-sponsored numbering organization would follow proper procedures and these principles, it would afford the following: First, participation by all WZ 1 entities with a direct and material interest in numbering policies and guidelines for NANP administration would be encouraged and accommodated in an open structure and process. Second, issues would be resolved by consensus. Third, existing industry efforts such as the Future of Numbering Forum and the Industry Numbering Committee, as well as the current NANP administration, would be centralized.

In promoting the basic principles of openness and due process as essential safeguards for the Oversight Committee, ATIS also recognizes that the industry itself is best-suited to develop the details of the operations and procedures of a numbering forum. These details would be subject to ATIS review for conformance with its basic principles.

Moreover, ATIS recognizes the complexity of numbering issues and thus, the importance of a dispute resolution process. Given the importance of dispute resolution to the overall consensus process and the contentious nature of what the dispute resolution process should be, ATIS believes that FCC direction and decision as to a timely dispute resolution mechanism, process, and procedure is a prerequisite essential to sponsorship by ATIS and establishment of an Oversight Committee on numbering policy.

As respects ATIS' willingness to oversee selection of a neutral, third-party NANP administrator, ATIS would seek industry input via the Oversight Committee as to the criteria, the procedures, and ultimately, the selection of a NANP administrator, subject to concurrence by ATIS, the goal being an open and fair process based on industry consensus.

ATIS submits that any funding mechanism should support both the policy development and the number administration functions of an industry-sponsored effort. ATIS believes that there should be full and timely recovery of costs associated with both the policy development and the administration of the NANP, and the cost recovery mechanism should be established with sufficient industry consensus and regulatory support to avoid protracted and counterproductive contentiousness.

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**COMMENTS OF THE
ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions ("ATIS") hereby files with the Federal Communications Commission (the "FCC" or the "Commission") these comments in response to the Commission's Notice of Proposed Rulemaking ("NPRM"), released on April 4, 1994, with regard to the identification of an appropriate entity to administer, develop and coordinate policy for and resolve disputes relating to the North American Numbering Plan ("NANP"). For the reasons set forth below, ATIS respectfully submits that it is willing to sponsor a numbering organization that would incorporate each of the foregoing functions (hereinafter the World Zone 1 ("WZ 1") numbering organization) should it be requested to do so. Specifically, ATIS stands ready to sponsor a committee which would develop and coordinate numbering policy. ATIS would also be willing to oversee the selection of a neutral, third-party NANP administrator who would be guided per the consensus policies of the ATIS-sponsored numbering committee (hereinafter, the "Oversight Committee").

ATIS (formerly, the Exchange Carriers Standards Association) successfully sponsors a number of industry committees and forums created for the

purpose of reaching consensus resolutions on important and at times, contentious telecommunications issues. In this regard, ATIS is also prepared to sponsor an industry effort for the task of developing numbering policy and for the administration of the NANP.

STATEMENT

ATIS, as currently composed, maintains a membership representing the various segments of the U.S. telecommunications industry, including exchange carriers, interexchange carriers, competitive access providers, cellular carriers and others.¹ Organized in 1983 in response to and as part of the divestiture of the former Bell System, its primary role is to promote the timely resolution of national and international issues involving telecommunications standards and the development of operational guidelines through sponsorship of open industry forums that address such issues as network interconnection, open network architecture, network outage analysis, installation, testing, and maintenance, ordering and billing, toll fraud prevention, and electronic data interchange.

At present, among the committees and forums that ATIS sponsors are: accredited standards Committee T1-Telecommunications, which develops American National Standards for technical interfaces; and the Carrier Liaison Committee ("CLC"), which seeks to resolve through consensus procedures "equal access" and network interconnection issues arising on an industry-wide basis. Included under the CLC umbrella are such activities as the Network Operations Forum, the Ordering and Billing Forum, the Industry Carriers Compatibility Forum ("ICCF"), the Toll Fraud Prevention Committee, and the Industry Numbering

¹ Currently, ATIS membership is open to all domestic providers of telecommunications services with a plant investment in transport and/or switching equipment.

Committee ("INC"). ATIS also sponsors the Information Industry Liaison Committee, which addresses industry-wide concerns about the provision of open network architecture services; the Telecommunications Industry Forum, which gives practical application to standards on electronic data interchange, bar coding, and standard coding language for the telecommunications industry; the Protection Engineers Group, which develops contributions for consideration by accredited standards committees on electrical protection; and Standards Committee O5, an accredited standards committee for wood poles and other wood products used in the construction of electric supply and communications lines. More recently, ATIS has undertaken sponsorship of the Electronic Communications Service Provider Committee, which resolves technical and associated issues related to lawfully-authorized electronic surveillance; and the Network Reliability Steering Committee, which was created at the request of the FCC's Network Reliability Council to track and analyze network service outages. Each of these committees and forums operate on principles of consensus decision-making.² In its role as sponsor for each of these committees and forums, ATIS ensures that proper procedures are followed for the development of consensus. In this regard, strict adherence to the principles of openness and due process is required.

Based on its established history in sponsoring industry committees and forums, ATIS is prepared to sponsor a numbering organization which would permit continued industry consideration and resolution of many of the issues raised in the Commission's instant NPRM, as well as industry participation in the establishment of guidelines for the administration of NANP resources in the following manner.

² The attachment provides an overview diagram of the ATIS-sponsored committees and their subtending structure.

First, participation by all WZ 1 entities with a direct and material interest in the development of numbering policies and guidelines for the administration of the NANP administrator would be accommodated in an open structure and process.

Second, an ATIS-sponsored numbering organization would resolve issues by consensus.

Third, if ATIS were asked to sponsor a numbering organization, existing efforts within the various industry forums, such as the Future of Numbering Forum ("FNF") and the INC, and the current NANP administration, would be centralized, thereby retaining the participant expertise currently being devoted to forum numbering activities. Such an approach would respond to the Commission's stated goal of providing more defined processes for decision making.

Finally, in its oversight of the telecommunications industry, the FCC has on numerous occasions referred issues to ATIS' open industry committees for consideration and consensus resolution.³ The FCC has also recognized and

³ For example, in 1986, the FCC referred five issues to the CLC for resolution related to blocking, transmission quality standards and testing availability, see Investigation into the Quality of Equal Access Services and the TDX Petition for Rulemaking, Memorandum Opinion and Order, (Released: May 23, 1986), FCC 86-248. The Ordering and Billing Forum also developed a detailed meet-point billing implementation plan in response to the FCC's Memorandum Opinion and Order in Waiver of Access Billing Requirements and Investigation of Permanent Modifications, CC Docket No. 86-104 (Released: March 28, 1986). The Information Industry Liaison Committee was formed in response to the FCC's proceeding on open network architecture, see generally Memorandum Opinion and Order, in Filing and Review of Open Network Architecture Plans, CC Docket No. 88-2, Phase I, (Released: December 22, 1988), FCC 88-387. Call "splashing" as practiced by the alternative operator service provider industry was also referred to the CLC for resolution, see Memorandum Opinion and Order, DA 89-237, (Released: February 27, 1989). More recently, ATIS-sponsored committees have addressed issues relating to 800 database, network outage analysis and split billing arrangements, all referrals from the FCC.

endorsed industry initiatives within the ATIS-sponsored committees to address complex issues outside of the Commission processes. ATIS believes this relationship has balanced the needs of industry and the needs of the Commission. This relationship could be expected to continue and would be encouraged in an ATIS-sponsored numbering organization.

AN ATIS-SPONSORED NUMBERING ORGANIZATION

An ATIS-sponsored WZ 1 numbering organization would recognize two activities: the development and coordination of numbering policy, and administration of the NANP. These activities would be carried out by an open Oversight Committee. The Oversight Committee's primary responsibilities would be: i) the development and coordination of numbering policy, ii) the creation of guidelines for the administration of the NANP, and iii) the development and management of a long term and comprehensive WZ 1 numbering and dialing plan. The administration of the NANP would be via a neutral, third-party. The third-party administrator would conduct the day-to-day number administration, receiving its guidance from the Oversight Committee, and being accountable for implementing the Committee-developed numbering policy and guidelines. Selection of the third-party administrator would be overseen by ATIS and would be conducted via an open and fair process.

A. The Oversight Committee

Consistent with all of its sponsored industry committees, and to carry out these roles and responsibilities, an ATIS-sponsored Oversight Committee for numbering would incorporate these important principles. Participation in the Oversight Committee would be open to all parties with a direct and material interest in WZ 1 numbering issues. Non-U.S. entities from WZ 1 countries would

be encouraged and expected to actively participate in this forum. It is likely that all numbering issues would be brought initially before this forum for introduction, acceptance, and consensus resolution.

The Oversight Committee would seek to address issues in a timely and efficient manner. The ability of the forum to accomplish this goal would be dependent largely on its structure, and its processes and procedures for addressing these often time-sensitive issues. With regard to a structure, and by way of example, the Oversight Committee might consider a subtending structure of smaller task groups or workshops, much like the current ATIS-sponsored INC and its subtending workshops. The INC workshops address issues within distinct subject areas, such as personal communications services number portability and international inbound calling, affording participants the opportunity to be involved based on their interests and issues as well as their subject matter expertise. Whatever the structure designed, ATIS believes the Oversight Committee needs to respond to the desire and stated goal of the industry that issues be addressed in a more timely and efficient manner.

With regard to the process and procedures for an Oversight Committee, as part of a larger ATIS-sponsored numbering organization, ATIS submits that a full and fair opportunity for all interested parties to raise and discuss numbering issues within the forum structure must be afforded. In this connection, ATIS, as it does in all of its sponsored committees, recognizes that certain operating principles are fundamental to the fairness and the success of any industry committee and thus would recommend these principles as the building blocks for Oversight Committee procedures. These principles include the following: All meetings would be open. Meetings would be held pursuant to

notice; and written agenda would be prepared and publicly disseminated in advance of the meetings.⁴ Adequate and accurate record-keeping would be maintained and made available to all participants. While participants may raise any issue appropriately within the scope of the forum's mission, participants would be encouraged to discuss and attempt to resolve company-specific issues directly with the individual company and do so outside of the Committee's activities. Substantive discussions would be limited to issues NANP-wide in scope, and ones that do not involve price, market allocation or other antitrust-sensitive matters. Prior to finalizing an issue or resolution, there would be notification of the proposed resolution, with opportunity for the "larger" industry to review it and provide comments. All views and objections would be carefully considered, and unresolved comments or objections would be reported to the Committee. There also would be an appropriate appeals mechanism.

While the schedule and location for Oversight Committee meetings will be determined by the participants, ATIS believes it is important that efforts be made to permit the maximum and the most cost efficient participation by all interests, given that regulators in the U.S. and other WZ 1 countries would be participating in the work that would be undertaken by the Oversight Committee. Based on its past experience in accommodating the interests of the FCC and other regulatory bodies in the work of its sponsored organizations, ATIS believes it would be particularly helpful in this regard, as it would also be in providing administrative support for the preparation and dissemination of Committee

⁴ With respect to notice of Oversight Committee meetings, it is important to recognize the value of having a well-understood vehicle for the public notices of Oversight Committee meetings, particularly as all WZ 1 entities would be encouraged to participate in the Oversight Committee meetings.

agenda, meeting reports, and in providing related materials as well as tending to other logistical details for such meetings.

ATIS promotes these basic principles as essential safeguards for all of its sponsored committees. As such, ATIS recognizes the value of these important principles as a minimum set of building blocks for ATIS-sponsored committee procedures and would extend these principles to an Oversight Committee whose purpose would be to develop and coordinate policy for the NANP. In doing so, ATIS also recognizes that the industry itself is best suited to develop the details of the operations and procedures of an industry numbering forum. These details would be subject to ATIS review for conformance with its basic principles.

Further, ATIS believes that some aspect of the Oversight Committee's role needs to include a role in affirmatively checking to ensure that all proper steps were taken in the development of a consensus resolution, including strict adherence to the principles of openness and due process. There would also be value in an appeals mechanism to address any challenges to due process.

Further, it is conceivable that the Oversight Committee could be quite large and thus, be a cumbersome vehicle by which to coordinate and/or interface with an independent third-party administrator. In this regard, ATIS recognizes that there may be some value in having the Oversight Committee, once constituted, to consider this function being conducted by a smaller administrative or advisory group, not unlike other ATIS-sponsored committees which have found it useful and more efficient to have some management component to their structure.

Moreover, in light of the complexity that numbering issues may present, ATIS recognizes the importance of a dispute resolution process which

deals with those issues on which the Oversight Committee cannot reach timely consensus. A dispute resolution process could promote a compromise which might lead to the development of a consensus or resolve those issues not reaching consensus (i.e., where there is still no substantial agreement among the participants at the end of a designated deliberation period). In this regard, ATIS is aware of a number of dispute resolution mechanisms, including facilitation, conciliation, mediation, arbitration, and the FCC's own alternative dispute resolution processes. ATIS is also aware of the lengthy discussions at the FNF and that the industry has not yet reached its own consensus conclusions on this subject. Accordingly, ATIS firmly believes that in order for the consensus process to be effective in the area of numbering policy, a timely dispute resolution process is required. Given the contentious nature of what the dispute resolution process should be and the importance of dispute resolution to the overall consensus process, ATIS believes that FCC direction and decision as to a timely dispute resolution mechanism, process, and procedure is a prerequisite essential to sponsorship by ATIS and establishment of an Oversight Committee on numbering policy.

Finally, ATIS believes that the industry via the Oversight Committee should seek participation of all WZ 1 regulators in its activities, especially the FCC, in recognition of the Commission's plenary jurisdiction over numbering issues.⁵ Participation and Commission involvement in the deliberations of the Oversight Committee would provide the Commission with direct oversight of the full

⁵ While recognizing the FCC's jurisdiction, ATIS submits that the FCC should defer its exercise and its direct regulatory involvement to permit the efforts of the proposed WZ 1 numbering organization to progress.

activities of an industry-sponsored numbering organization, and the opportunity to intervene if it becomes necessary.

In sum, under an Oversight Committee structure, existing efforts for addressing numbering policy issues could continue unabated, all WZ 1 entities would be encouraged to participate, and the Commission would also be positioned to perform an oversight role in numbering discussions. ATIS, if it were selected to do so, would be in a position to lend its expertise and experience in the development of industry consensus positions through open and fair procedures.

B. Numbering Administration

As previously indicated, ATIS would be willing to sponsor a WZ 1 numbering organization which in addition to coordinating and developing policy via an Oversight Committee, would offer numbering administration. ATIS would fulfill this function by overseeing the selection of a neutral, third-party administrator to conduct the day-to-day administration of the NANP. ATIS would seek industry input via the Oversight Committee as to the selection criteria (e.g., capability, experience, quality, etc.), the selection procedures, and ultimately the selection of a NANP administrator subject to concurrence by ATIS, the goal being an open and fair process based on industry consensus.

Under the ATIS proposal, the NANP administrator would have the role of administering and assigning NANP resources in response to applications for numbering resources using industry-developed and approved guidelines. The NANP administrator would interface with the Oversight Committee for its guidance on NANP matters such as modification and interpretation of existing numbering policies and guidelines or the need to create new guidelines. Notwithstanding the

establishment of guidelines by the Oversight Committee, the NANP administrator would still operate, however, as a separate and independent entity from the Oversight Committee. It would be responsible for its own staff, management, budgets and administration.

C. Funding of the World Zone 1 Numbering Organization

ATIS submits that any funding mechanism ultimately established to support numbering activities should have the stated goal of generating revenues in a fair and equitable manner. Further, it should support both the policy development and the number administration functions of an industry-sponsored effort, like that which ATIS is willing to offer. In this connection, ATIS believes that there should be full and timely recovery of costs associated with both the policy development and the administration of the NANP; and the cost recovery mechanism should be established with sufficient industry consensus and regulatory support to avoid protracted and counterproductive contentiousness.

As ATIS sees it, full and timely recovery of costs is a strong and significant factor in its willingness to sponsor a WZ 1 numbering organization. As the Commission is well aware, the members of ATIS have long sponsored a wide array of industry forums at little or no cost to the participants and other interested parties. However, ATIS believes that a WZ 1 numbering organization has a far greater reach than its current membership or its current pool of participants. While it is difficult to project what the total costs may be for sponsoring a WZ 1 numbering organization as the scope of new NANP administrator functions are not fully defined (i.e., assignment of central office code guidelines, etc.), sponsorship of a WZ 1 numbering organization would without question, create significantly greater costs than ATIS has experienced with existing industry forums. As such,

any funding mechanism which is designed to recover the full costs attendant to a WZ 1 numbering organization should recognize and recover the full costs of both policy development and administration.⁶

ATIS realizes that the establishment and implementation of any cost recovery/funding mechanism may be sensitive and contentious. As such, ATIS submits that the Commission should take a meaningful role in ensuring that there is industry consensus and to minimize such contentiousness. As a sponsor of a WZ 1 numbering organization, ATIS would seek such regulatory assistance and support on this matter.⁷

⁶ Full cost recovery has been recognized by both the FCC and the industry with respect to funding mechanisms for services by non-government entities in telecommunications. Frequency Coordination in the Private Land Mobile Radio Services, PR Docket No. 83-737 103 FCC 2d 1093, 1115, at ¶ 45 (1986).

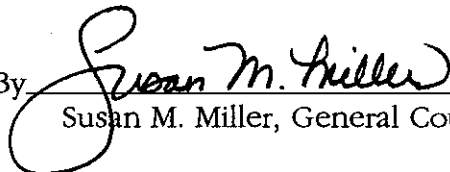
⁷ The FCC in the past has become involved to varying degrees in resolving potential or actual differences over funding. By statute, it establishes the annual funding of the Telecommunications Relay System based on National Exchange Carrier Association ("NECA") and provider costs. Under Title II of the Communications Act, the agency reviews the tariffs of NECA for the Universal Service Fund, and of the Regional Bell Operating Companies in the case of 800 number assignment and administration since April of 1993. With respect to frequency coordinators operating under Part 90, 103 FCC 2d at 1115, the FCC will resolve complaints of unreasonable charges for coordination service.

CONCLUSION

ATIS respectfully submits that it is willing to sponsor a WZ 1 numbering organization should it be asked to do so. An ATIS-sponsored WZ 1 numbering organization would ensure the fair and equitable development of NANP policy and the proper administration of NANP resources. In addition, the proposed organization would allow for the broadest possible participation of directly and materially interested persons in connection with such matters, including non-U.S. entities within World Zone 1. Further, the proposed organization would serve the telecommunications industry by permitting current and ongoing work addressing NANP policy and administration issues to proceed without undue interruption. Moreover, to the extent issues raised in the FCC's NPRM and discussed herein require further consideration or elaboration, ATIS submits that such matters should be addressed through the consensus process in the proposed organization, except as to a dispute resolution mechanism for which FCC direction is essential.

Respectfully submitted,

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Alliance for Telecommunications Industry Solutions

Committees

Standards and Guidelines Activities

Standards Committee T1-Telecommunications

T1A1
Performance and Signal Processing
Network Survivability
Packet Data and ISDN Performance

T1E1
Analog Access
Wideband Access
DSL Access
Power Systems/Power Interfaces

T1M1
Internetwork Planning/Engineering
Testing and Operations Systems and Protocols

T1P1
Personal Communications
Wireless Access and Terminal Mobility
Program Management and Standards

T1S1
Architecture and Services
Switching and Signaling Protocols
Broadband ISDN

T1X1
Synchronization Interfaces
Metallic and Optical Hierarchical Interfaces

Carrier Liaison Committee

Network Operations Forum
Installation, Testing, Maintenance Guidelines
SS7 Network Testing
Toll Fraud Prevention

Industry Carriers Compatibility Forum
Industry Numbering Committee
Data Integrity Group
LARG Users Group

Ordering and Billing Forum
Access Ordering, Provisioning and Billing
Carrier Selection and Subscription
Message Processing

Ad Hoc 800 Database Committee
SMS/800 Technical Subcommittee
Industry 800 Database Participation
SMS Customer Record Load Verification

Telecommunications Industry Forum

Bar Code
Bar Code Label Specifications
Product Package Guidelines

Information Product Interchange
Standard Generalized Markup Language
Technical Illustrations Interchange

Standard Coding
Product Identification Nomenclature Guidelines
Telecommunications Industry Product Identifier

Electronic Data Interchange
Data Interchange Standards
EDI Methods and Procedures

Electronic Commerce
Electronic Communications
Re-engineering Business Processes

Information Industry Liaison Committee

Open Network Architecture
ONA Services User Guide
Evolving Network Services Architecture

Network Reliability Steering Committee

Analyze Network Outages
Initiate Corrective Action
Industry/FCC Reports

Electronic Communications Service Provider Committee

Liaison with Law Enforcement Agencies on Network Technology and Court Authorized Electronic Surveillance

Protection Engineers Group

Electrical Protection Equipment
Arrester Unit Standards and Specifications

Standards Committee 05 Wood Poles and Products

Wood Crossarms and Timber for Utility Structures
ANSI Standards For Wood Poles, Crossarms and Braces